

ESTTA Tracking number: **ESTTA47078**

Filing date: **10/03/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<b>Proceeding</b>	91161754
<b>Party</b>	Plaintiff 7-Eleven, Inc. ,
<b>Correspondence Address</b>	DIANE ELDER WILDMAN HARROLD ALLEN & DIXON LLP 225 WEST WACKER DRIVE CHICAGO, IL 60606-1229
<b>Submission</b>	Stipulated/Consent Motion to Extend
<b>Filer's Name</b>	Diane Grace Elder
<b>Filer's e-mail</b>	elder@wildmanharrold.com
<b>Signature</b>	/Diane Grace Elder/dge/;61590/
<b>Date</b>	10/03/2005
<b>Attachments</b>	Motion with Consent'.pdf ( 3 pages )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<b>7-ELEVEN, INC.,</b>	)	
	)	
Opposer,	)	
	)	
v.	)	Opp. No.: 91161754
	)	Serial No.: 78/225,628
<b>ANTOINETTE K. KRAUSE AND</b>	)	Mark: MIRACLE 7 & Design
<b>PAUL J. KRAUSE,</b>	)	
	)	
Applicants.	)	

**MOTION WITH CONSENT FOR EXTENSION OF TIME**

In accordance with Rule 2.127 of the Trademark Rules of Practice, opposer, 7-Eleven, Inc. (“opposer”), with the consent of applicants, Antoinette K. Krause and Paul J. Krause (“applicants”), respectfully requests a three week extension of time for opposer to respond to Applicant’s Brief In Support Of Motion For Summary Judgment, namely, October 23, 2005.

This extension is requested to enable the parties to complete settlement discussions, which may preclude the necessity of requiring resolution of this motion by the Board. In a telephone conference on September 30, 2005 between counsel for opposer, Diane G. Elder, and counsel for applicants, Harris Zimmerman, applicants agreed to this request for extension.

Applicants are reviewing opposer's settlement proposal with counsel. This extension, therefore, is not requested for the purposes of delay, but rather, to enable the parties to further explore the possibility of settlement and, if the parties cannot reach an agreement, allow opposer sufficient time to obtain information and evidence necessary to respond to applicant's motion.

WILDMAN, HARROLD, ALLEN & DIXON LLP

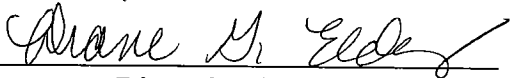
Date: October 3, 2005

Diane G. Elder  
Diane G. Elder  
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Attorneys for Opposer,  
7-Eleven, Inc.

**CERTIFICATE OF SERVICE**

I, Diane G. Elder, counsel for opposer, hereby certifies that a copy of MOTION WITH  
CONSENT FOR EXTENSION OF TIME was served on this 3<sup>rd</sup> day of October, 2005 on  
Michael James Cronen, Law Offices of Harris Zimmerman, 1330 Broadway, Suite 710, Oakland,  
CA 94612-2506, by first class mail, postage prepaid, and facsimile transmission.

  
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Diane G. Elder